

## DISTRICT OF NEVADA

Plaintiff,

CHARLES ELMER ROUSH,

Case No. 2:16-cr-00236-LRH-GWF

## ORDER

On January 23, 2017, the Court appointed Michael R. Pandullo, Esq. as counsel for Defendant. *See* ECF No. 39. Defendant requests temporary suspension of Local Rule (“LR”) IA 11-6, which states that “[a] party who has appeared by attorney cannot while so represented appear or act in the case.” Defendant seeks suspension of LR IA 11-6 for the purpose of filing his motion to dismiss. Although Defendant has complained about his representation, he has not filed a motion for appointment of new counsel. The Court, therefore, denies without prejudice his Motion for Temporary Suspension of LR IA 11-6.

The Government argues that Defendant filed his pro se Motion for Temporary Suspension and Motion to Dismiss in violation of the Local Rules and requests that the Court strike his pro se motions. *See* ECF No. 43, 44. An individual represented by an attorney cannot file pro se motions. *United States v. Gallardo*, 915 F. Supp. 216, 218 (D. Nev. 1995), *aff'd*, 92 F.3d 1194 (9th Cir.

1 1996). Because Defendant is represented by counsel, the Court grants the Government's Motion to  
2 Strike Defendant's Pro Se Filings (ECF No. 45) without prejudice to counsel for Defendant filing  
3 the motion to dismiss if he deems it to be a proper motion. Accordingly,

4 **IT IS HEREBY ORDERED** that Defendant's Motion for Temporary Suspension of LR IA  
5 11-6 (ECF No. 43) is **denied**.

6 **IT IS FURTHER ORDERED** that the Government's Motion to Strike Defendant's Pro Se  
7 Filings (ECF No. 45) is **granted**.

8 DATED this 14th day of April, 2017.

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11 GEORGE FOLEY, JR.  
12 United States Magistrate Judge  
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